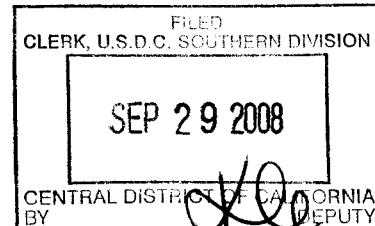


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8 Attorneys for Plaintiff
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

13 UNITED STATES OF AMERICA,) No. SA CR 08-223
14 Plaintiff,) GOVERNMENT'S EX PARTE
15 v.) APPLICATION FOR ORDER
16 JERRY FANYUAN LIN,) UNSEALING INDICTMENT AS TO
17 JASON I. MING WEI,) DEFENDANT JASON I. MING WEI
18 REN SUI,) ONLY AND RESEALING AS TO THE
19 a.k.a. "Jeffrey,") REMAINING DEFENDANTS;
20 ERIK DAMIEN VICENTE,) DECLARATION OF TERRI K. FLYNN
21 JOSE G. GARIBAY,) [UNDER SEAL]
22 a.k.a. "Guero,")
23 SHANE KELTER,)
24 ADRIAN GARCIA DE ALBA,)
25 a.k.a. "Pedro,")
26 JAGMOHAN S. DHILLON,)
27 PARAMIJT SINGH,)
28 a.k.a. "Pumma,")
WALTHER EDGARDO ORELLANA)
AGUILAR,)
a.k.a. "Sharky,")
FAUSTO VILLA PEREZ,)
MING CHIEN HSIEH,)
a.k.a. "Sonny,")
HONG YEE CHOW,)
a.k.a. "Annie,")
MARCO ANTONIO SILVA MOTA,)
ALEXANDER CHIANG POU,)
a.k.a. "Alex,")

LCCED

1
2 NATHANAEL GARRARD LINEHAM,)
3 a.k.a. "Nat,")
4 MICHELLE ENCK,)
Defendants.)

5

6 The United States of America hereby applies to this Court
7 for an order unsealing the indictment in the above-captioned
8 proceedings for defendant Jason I. Ming Wei and his counsel only.
9 The government further requests that the indictment be resealed
10 as to the remaining defendants who have not yet been arrested
11 until such time as the government notifies the Court that the
12 indictment should be unsealed. In support of this application,
13 the government submits the attached Declaration of Terri K.
14 Flynn.

15 DATED: September 29, 2008 Respectfully submitted,

16 THOMAS P. O'BRIEN
United States Attorney

17 ROBB C. ADKINS
Assistant United States Attorney
Chief, Santa Ana Office

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20 TERRI K. FLYNN
Assistant United States Attorney

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1 DECLARATION OF TERRI K. FLYNN

2 I, Terri K. Flynn, declare as follows:

3 1. I am an Assistant United States Attorney in the United
4 States Attorney's Office for the Central District of California.
5 I represent the government in the prosecution of United States v.
6 Jerry Fanyuan Lin, et al., SA CR 08-223.

7 2. On September 28, 2008, defendant Jason I. Ming WEI was
8 arrested at the Los Angeles International Airport as he was
9 preparing to board a flight out of the country. Because he is
10 now in custody, the government seeks to unseal the indictment as
11 to defendant WEI and his counsel only.

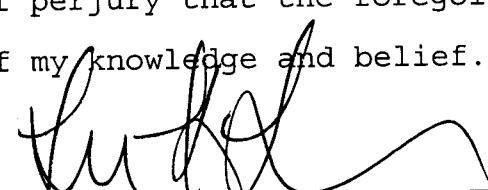
12 3. The remaining defendants charged in the above-captioned
13 indictment have not been taken into custody on the charges
14 contained in the indictment and have not been informed that they
15 are being named as defendants in the indictment. The likelihood
16 of apprehending one or more of the charged defendants might be
17 jeopardized if the indictment in this case was made publicly
18 available before the defendants are taken into custody on the
19 indictment.

20 4. The government is preparing to arrest the remaining
21 defendants on September 30, 2008. Disclosure of the indictment
22 to the public a day before the arrest date may cause defendants
23 to flee if they learn of the indictment.

1 5. Accordingly, the government requests that the
2 indictment in this case be resealed and that the indictment be
3 unsealed for defendant WEI and his counsel.

4 I declare under penalty of perjury that the foregoing is
5 true and correct to the best of my knowledge and belief.

6 DATED: September 29, 2008

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TERRI K. FLYNN

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